

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No.1:20-cv-260

VICTORIA PETERSON,)
Plaintiff,)
v.) MOTION FOR EXTENSION OF TIME
NORTH CAROLINA STATE BOARD OF ELECTIONS,) TO FILE AN ANSWER
DURHAM COUNTY BOARD OF ELECTIONS, and)
ALEJANDRA JAVIERA CABALLERO)
Defendants.)

NOW COMES counsel, Willie S. Darby for Defendant, DURHAM COUNTY BOARD OF ELECTIONS, (DCBE), and moves the Court for an order extending the time to file an ANSWER to Plaintiff's original Complaint and her Amended Complaint. In support hereof Counsel states as follows:

1. That Defendant, DCBE was served with this matter on July 14, 2020.
2. That Plaintiff filed her original Complaint on March 18, 2020 and the original Complaint was served on Defendant, DCBE on July 14, 2020.
3. That Plaintiff filed an Amended Complaint, on information and belief, on July 9, 2020.
4. That the Amended Complaint and Summons were served on Defendant, DCBE, on July 14, 2020.
5. That the time for Defendant, DCBE, to file a response or otherwise plead has not yet expired.

WHEREFORE Counsel on behalf of Defendant, Durham County Board of Elections, moves the Court for an extension of time to file an ANSWER or otherwise plead to Plaintiff's original Complaint and the Amended Complaint filed in this matter.

This the 2nd day of August 2020.

DURHAM COUNTY ATTORNEY'S OFFICE

/s/ Willie S. Darby
Senior Assistance County Attorney
NC State Bar No. 8240
wdarby@dconc.gov
P. O. Box 3508
200 East Main Street
Durham, North Carolina 27702
919-5609-0709 (office)
984-260-5742 (office cell)
919-690-6444 (personal cell)

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of August, 2020, I electronically filed the foregoing document with the United States District Court for the Middle District of North Carolina by using the CM/ECF system. I certify that the following parties or their counsel of record are registered as ECF Filers and that they will be served by CM/ECF system or by U.S. mail at the following address:

Josh Stein, Esquire
NC Atty General
NC Attorney General's Office
Attorney for the North Carolina State Board of Elections
9001 Mail Service Center
Raleigh, North Carolina 27699

I also certify that on this 3rd day of August, 2020, I served a copy of the foregoing document on the Plaintiff, Victoria Peterson, who is pro se of record, by U.S. mail at the following address:

Victoria Peterson
810 Ridgeway Ave
Durham, North Carolina 27701

I finally certify that on this 3rd day of August, 2020, I served a copy of the foregoing document on the Defendant, Alejandra Javiera Caballero, by U.S. mail at the following address:

Alejandra Javiera Caballero
506 Englewood Ave.
Durham, North Carolina 27701

DURHAM COUNTY ATTORNEY'S OFFICE

/s/ Willie S. Darby
Senior Assistant County Attorney
NC State Bar No. 8240
wdarby@dconc.gov
P. O. Box 3508
Durham, North Carolina 27702
919-560-0709 (office)
984-260-5742 (office cell)
919-690-6444 (personal cell)